

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JUNE 11, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: RQR-34324 – APPLICANT- CBS OUTDOOR, INC. - OWNER:
CITY PARKWAY IV A, INC**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Variance (V-0046-92).
2. This Variance shall be placed on an agenda closest to May 20, 2012 at which time the City Council may required the Off-Premise Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign is removed.
3. The Off-Premise Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign.
4. All Graffiti is to be removed from the sign/structure within 30 days of final approval by the City of Las Vegas.
5. The existing Off-Premise Sign is voluntarily demolished, this Variance (V-0046-92) shall be expunged and a new Off-Premise Sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is in response to a Required Review of a previously approved Variance (V-0046-92), which allowed a 14-foot by 48-foot Off-Premise Sign 690 feet from another existing Off-Premise Sign where 750 feet is the minimum separation allowed on 5.28 acres on the north side of U.S. 95, between Bonanza Road and Grand Central Parkway, 150 west of the centerline of the Union Pacific Railroad tracks.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
05/20/92	The City Council approved a Variance (V-0046-92) to allow a 14-foot by 48-foot Off-Premise Sign and to allow the sign to be 690 feet from another existing Off-Premise Sign, where a 750-foot minimum separation is required. The Board of Zoning Adjustment and staff recommended denial of the request.
05/27/97	The City Council approved a Required Five Year Review [V-0046-92(1)] of an approved Variance (V-0046-92), which allowed a 14-foot by 48-foot Off-Premise Sign 690 feet from an existing Off-Premise Sign where 750 feet is the minimum distance separation required on property located on the north side of Oran K. Gragson Highway (U.S. 95) between Bonanza Road and Grand Central Pkwy, 150 feet west of the centerline of the Union Pacific Railroad tracks. The Board of Zoning Adjustment recommended denial, but staff recommended approval of the request.
07/12/99	The City Council approved a Required Two Year Review [V-0046-92(2)] of an approved Variance (V-0046-92), which allowed a 14-foot by 48-foot Off-Premise Sign 690 feet from an existing Off-Premise Sign where 750 feet is the minimum distance separation required on property located on the north side of Oran K. Gragson Highway (U.S. 95) between Bonanza Road and Grand Central Pkwy, 150 feet west of the centerline of the Union Pacific Railroad tracks. The Board of Zoning Adjustment and staff recommended approval of the request.
12/20/00	The City Council approved a Required 16 month Review [V-0046-92(3)] of an approved Variance (V-0046-92) to allow a 14-foot by 48-foot Off-Premise Sign 690 feet from an existing Off-Premise Sign where 750 feet is the minimum separation distance required on property located on the north side of Oran K. Gragson Highway (U.S. 95) between Bonanza Road and Grand Central Pkwy, 150 feet west of the centerline of the Union Pacific Railroad tracks. The Planning Commission and staff recommended approval of the request.

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04/03/02	The City Council approved a Required One Year Review [V-0046-92(4)] of an approved Variance (V-0046-92), which allowed a 14 foot x 48 foot Off-Premise Sign 690 feet from an existing Off-Premise Sign where 750 feet is the minimum distance separation allowed on the north side of the Oran K. Gragson Highway (U.S. 95), between Bonanza Road and Grand Central Parkway, 150 feet west of the centerline of the Union Pacific Railroad tracks. The Planning Commission and staff recommended approval of the request.
06/04/03	The City Council approved a Required One Year Review (RQR-1909) of an approved Variance (V-0046-92), which allowed a 14-foot by 48-foot Off-Premise Sign 690 feet from an existing Off-Premise Sign where 750 feet is the minimum distance separation allowed adjacent to the north side of the Oran K. Gragson Highway (U.S. 95), between Bonanza Road and Grand Central Parkway, 150 feet west of the centerline of the Union Pacific Railroad tracks. The Planning Commission and staff recommended approval of the request.
06/08/06	The Planning and Development Department administratively approved a Director's Business (DIR-14084) item to allow an electronic message unit to be installed within an existing Off-Premise Sign adjacent to the north side of the Oran K. Gragson Highway (U.S. 95), between Bonanza Road and Grand Central Parkway, 150 feet west of the centerline of the Union Pacific Railroad tracks.
08/16/06	The City Council approved a Required One Year Review (RQR-13616) of an approved Variance (V-0046-92) which allowed a 40-foot, 14-foot by 48-foot Off-Premise Sign to be located 690 feet from an existing Off-Premise Sign where 750 feet is the minimum distance separation required adjacent to the north side of the Oran K. Gragson Highway (U.S. 95), between Bonanza Road and Grand Central Parkway, 150 feet west of the centerline of the Union Pacific Railroad tracks. The Planning Commission and staff recommended approval of the request.
04/25/07	A Code Enforcement complaint (#52600) was processed for illegal billboards at 3131 W. Bonanza Road. The issue was closed by Code Enforcement on 07/31/07.
02/19/08	The Planning and Development Department administratively approved a Site Development Plan Review (SDR-26889) to modify an existing Off-Premise Sign for a digital display adjacent to the north side of the Oran K. Gragson Highway (U.S. 95), between Bonanza Road and Grand Central Parkway, 150 feet west of the centerline of the Union Pacific Railroad tracks.
<i>Related Building Permits/Business Licenses</i>	
07/24/07	A Building Permit (#07002364) was issued for a billboard at 301 W. Mesquite Avenue. The permit was finalized on 07/24/07.
<i>Pre-Application Meeting</i>	
A pre-application meeting was not required, nor was one held.	

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<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	
<i>Field Check</i>	
05/07/09	<p>A field check was completed on the indicated date. Planning and Development found the following items;</p> <ul style="list-style-type: none"> • Graffiti on the back of the billboard sign facing east. • Support structure and the other billboard sign were in good condition. • No embellishments were found on the subject sign.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	5.28 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped Land [Proposed Heavy Equipment Storage Lot (SDR-27695)]	MXU (Mixed Use)	M (Industrial)
North	Warehouse	LI/R (Light Industry/ Research)	M (Industrial)
South	R.O.W. (US-95)	R.O.W. (US-95)	R.O.W. (US-95)
East	Union Pacific Railroad	C (Commercial)	C-2 (General Commercial)
West	Warehouse and Retail Buildings	LI/R (Light Industry/ Research)	M (Industrial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown North Land Use Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District – (175 feet)	X		Y
Trails – (Bonanza Trail)	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

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DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Sign may be located within public right-of-way	Sign is not located in the public right-of-way.	Y
Zoning	Off-Premise Signs are permitted in C-1, C-2, C-M and M zoning districts only	Sign is located in an M (Industrial) zoning district.	Y
Area	No Off-Premise Sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	Sign is 672 square feet and does not have an embellishment	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to a maximum of 55 feet with approval of the City Council if significantly obscured from view of travel lanes.	Sign is 40 feet tall	Y
Screening	All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.	Structural elements of the sign are screened from view.	Y
Off-Premise Sign (Billboard)	At least 750 feet to another Off-Premise Sign along US-95 or at least 300 feet to another Off-Premise Sign (if not along US 95)	Sign is 690 feet from an existing Off-Premise Sign	Y
Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" or "U" zoned districts	Sign is at least 300 feet from property zoned for residential use	Y
Other	All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes	Sign is permanently attached to the ground and is not located on property zoned for residential use	Y

**RQR-34324 - Staff Report Page Five
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This is the seventh Required Review of a previously approved Variance (V-0046-92) that allowed a 14-foot by 48-foot Off-Premise Sign and to allow the sign to be 690 feet from another existing Off-Premise Sign where 750 feet is the minimum distance separation required. A site visit was conducted on 05/07/09 by the Planning and Development Department. The site inspection revealed that there were no embellishments, but found graffiti on the back of the billboard, which faces east. Conditions of approval have been added requiring that the billboard be properly maintained and the graffiti removed within 30 days. The support structure was in good condition. A final inspection on the billboard was completed on 07/24/07.

FINDINGS

The sign is located within an M (Industrial) zoning district and is not within the Off-Premise Sign Exclusionary Zone. Conditions in the surrounding area have not changed from the time of the original approval, and there is no adverse impact regarding the continued use of the sign at this time; therefore, staff recommends approval with a review in three-years unless superseded by subsequent action.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 51

APPROVALS 0

PROTESTS 0